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**FIRST-TIER TRIBUNAL
PROPERTY CHAMBER
(RESIDENTIAL PROPERTY)**

Case reference : **LON/00AH/LDC/2018/0139**

Property : **Flats 1 -13, Kilravock House, 101
Ross Road, South Norwood,
London SE25 6TT**

Applicant : **Purelake Investments Limited**

Representative : **Acorn Estate Management**

Respondents : **The lessees listed in the schedule to
the application**

Type of application : **To dispense with the requirement
to consult leaseholders**

Tribunal Member : **Judge N Hawkes**

Venue : **10 Alfred Place, London WC1E 7LR**

**Date of paper
determination** : **15 October 2018**

DECISION

Background

1. The applicant has applied to the Tribunal under S20ZA of the Landlord and Tenant Act 1985 (“the 1985 Act”) for dispensation from the consultation requirements contained in section 20 of the 1985 Act in respect of certain qualifying works to Flats 1 -13, Kilravock House, 101 Ross Road, South Norwood, London SE25 6TT (“the Property”).
2. The Tribunal has been informed that the Property comprises a block containing thirteen flats.
3. The application is dated 20 August 2018 and the respondent lessees are listed in a schedule to the application.
4. Directions of the Tribunal have been issued which are dated 24 August 2018. The applicant has requested a paper determination.
5. No application has been made by any of the respondents for an oral hearing. This matter has therefore been determined by the Tribunal by way of a paper determination on 15 October 2018.
6. The Tribunal did not consider an inspection of the Property to be necessary or proportionate to the issues in dispute.

The applicant’s case

7. The applicant applies for dispensation from the requirements to consult leaseholders under section 20 of the 1985 Act in respect of damp proofing and associated work to the Property, insofar as the costs are recoverable through the service charge (“the Work”).
8. The applicant states that there was severe dampness in the basement flats and that the Work was required following receipt of a Notice served by the Local Authority. Accordingly, there was insufficient time to comply with the statutory consultation requirements.
9. The applicant states that work also has been or is to be carried out which is the responsibility of the tenant under the lease. In order to secure a guarantee, it is necessary for the same contractor to be used for both sets of work.

The respondents’ case

10. None of the respondents have filed a reply form and/or representations opposing the applicant’s application.

3. If the application is not made within the 28 day time limit, such application must include a request for an extension of time and the reason for not complying with the 28 day time limit; the Tribunal will then look at such reason(s) and decide whether to allow the application for permission to appeal to proceed despite not being within the time limit.
4. The application for permission to appeal must identify the decision of the Tribunal to which it relates (i.e. give the date, the property and the case number), state the grounds of appeal, and state the result the party making the application is seeking.